

WEDNESDAY, JUNE 27, 2001
FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 1:30 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Mitch McClure, Middle Valley Church of God, Hixson, Tennessee.

Representative Vincent led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bowers; family death.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 167: Rep(s). Garrett, Turner (Davidson), Odom, S. Jones, Arriola, West, Langster and Harwell as prime sponsor(s).

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 2036 and 2037, was/were referred to the Delayed Bills Committee.

***House Bill No. 2036** -- Taxes - Revises inheritance taxes to keep state from losing revenue from changes in federal law, revises refund provisions under excise and franchise tax laws, and clarifies hotel tax law. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 16; Title 45; Title 48; Title 51; Title 54; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67 and Title 68.
. by *Kisber.

House Bill No. 2037 -- Appropriations - Provides continuing appropriations at fiscal year 2000-2001 levels through July 31, 2001. Amends TCA. by *Kisber. (*SB1998 by *Henry)

REPORT OF DELAYED BILLS COMMITTEE
June 27, 2001

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 2036 and 2037.

Jimmy Naifeh, Speaker
Gene Davidson
Steve McDaniel

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 28, 2001:

House Resolution No. 168 -- Memorials, Retirement - Bobbie Jean Coursey Davis. by *Hood, *Beavers, *Rowland.

House Resolution No. 169 -- Memorials, Retirement - Robert "Bob" Martin. by *Boyer.

House Resolution No. 170 -- Memorials, Professional Achievement - Dora Rucker, 50 years of service to Avon. by *Hood, *Pruitt, *Brooks, *Langster, *DeBerry L, *Cooper B.

House Joint Resolution No. 580 -- Memorials, Academic Achievement - Josie Hahn, Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 582 -- Memorials, Public Service - Stephanie Barger Conner. by *Goins, *Caldwell.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 2036** -- Taxes - Revises inheritance taxes to keep state from losing revenue from changes in federal law, revises refund provisions under excise and franchise tax laws, and clarifies hotel tax law. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 16; Title 45; Title 48; Title 51; Title 54; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67 and Title 68.
. by *Kisber.

House Bill No. 2037 -- Appropriations - Provides continuing appropriations at fiscal year 2000-2001 levels through July 31, 2001. Amends TCA. by *Kisber.

CONSENT CALENDAR

House Resolution No. 167 -- Memorials, Recognition - Robert Sweat Jr., John Westley United Methodist Church Fellowship Hall. by *Pruitt.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1283 -- Taxes, Sales - Increases, from \$500 to \$750, threshold for exchange of sales and use tax transactions with other states under reciprocity agreement. Amends TCA Title 7; Title 12; Title 30; Title 57 and Title 67. by *Jones, S., *Garrett. (*SB1475 by *Dixon)

Further consideration of House Bill No. 1283 previously considered on June 23, 2001 and June 24, 2001, at which time it was reset for today's Calendar.

Rep. S. Jones moved that House Bill No. 1283 be reset for the Regular Calendar on June 29, 2001, which motion prevailed.

Senate Bill No. 1894 -- Insurance Companies, Agents, Brokers, Policies - Prohibits health maintenance organizations from advertising or soliciting with information that does not conform to any fact "material" to enrollees, instead of fact "significant" to enrollees; modifies date from March 1 to April 1 when certain persons associated with managed care organizations under TennCare must file disclosure statements with commissioner of health. - Titles 56, 67 and 71 of the TCA. by *McNally. (*HB1926 by *McDaniel)

Further consideration of Senate Bill No. 1894 previously considered on June 23, 2001 and June 25, 2001, at which time the House substituted the House Bill for the Senate Bill, was on the motion to adopt Amendment(s) No(s). 1 and reset the bill for today's Calendar.

Rep. McDaniel moved that Senate Bill No. 1894 be reset for the Regular Calendar on July 12, 2001, which motion prevailed.

UNFINISHED BUSINESS

BILL RECALL

Rep. Armstrong requested that House Bill No. 1385 be recalled from the Senate desk, which motion prevailed.

ENROLLED BILLS

June 27, 2001

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 1155.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 27, 2001

The Speaker signed the following: House Bill(s) No(s). 1155.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 27, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1155; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

June 27, 2001

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 1155.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

June 27, 2001

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1169, 1184, 1693, 1203, 1889, 2000, 2019, 2031, also, House Joint Resolution(s) No(s). 337, 550, 552, 553, 554, 555, 556, 558, 559, 560, 561, 564 and 568; with his approval.

JAY BALLARD, Counsel to the Governor.

ENROLLED BILLS

June 27, 2001

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 167; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 27, 2001

The Speaker signed the following: House Resolution(s) No(s). 167.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present88

WEDNESDAY, JUNE 27, 2001 – FIFTY-SEVENTH LEGISLATIVE DAY

Representatives present were: Arriola, Baird, Bittle, Black, Bone, Boyer, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hargett, Harwell, Head, Hood, Johnson, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 1:30 p.m., Thursday, June 28, 2001.